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Attorneys for Yerba Buena Engineering &  
 Construction, Inc. and Travelers Casualty and  
 Surety Company of America

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

**UNITED STATES OF AMERICA, FOR  
 THE USE OF AAA RESTAURANT FIRE  
 CONTROL, INC., DOING BUSINESS AS  
 AAA FIRE PROTECTION SERVICES;  
 AND AAA RESTAURANT FIRE  
 CONTROL, INC.,**

**Plaintiffs,**

**v.**

**YERBA BUENA ENGINEERING &  
 CONSTRUCTION, INC., a California  
 corporation; TRAVELERS CASUALTY  
 AND SURETY COMPANY OF  
 AMERICA, a Connecticut corporation, and  
 DOES 1 TO 100 inclusive,**

**Defendants.**

**No. CV 07 5912 JL**

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE INITIAL CASE  
 MANAGEMENT CONFERENCE AND  
 CORRESPONDING DEADLINES  
 PURSUANT TO ORDER SETTING  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND ADR DEADLINES**

Pursuant to Federal Rule of Civil Procedure Rules 6(b) and Northern District Local  
 Rule 6-1 and 6-2, plaintiff and defendants hereby stipulate to continue the Initial Case  
 Management Conference of 2/27/08, for a period of 35 days to April 2, 2008. The Parties

1 further stipulate to continue for the same period of 35 days, all deadlines as set forth in the  
2 Court's Order Setting Initial Case Management Conference and ADR Deadlines.

3 Pursuant to a previous stipulation and order, the defendants' time to respond to  
4 plaintiff's complaint was extended to February 7, 2008, on which date defendants each filed an  
5 answer to plaintiff's complaint and a counter-claim was also filed by defendant Yerba Buena  
6 Engineering & Construction. Additionally, on February 15, 2008, defendants filed an  
7 Administrative Motion for Whether Cases Should Be Considered Related Pursuant to Local  
8 Rule 3-12.

9 The Parties require this brief continuance of the Initial Case Management Conference  
10 and corresponding deadlines to be more fully and thoroughly prepared to address the issues  
11 involved in this case and the evidence supporting each party's claims and defenses prior to  
12 appearing before the Court at the Initial Case Management Conference.

13 Therefore, the parties stipulate to the modified dates as set forth below:

14 1) 3/12/08: Last day to meet and confer re: initial disclosures, early  
15 settlement, ADR process selection, and discovery plan; file Joint ADR Certification with  
16 Stipulation;

17 2) 3/26/08: Last day to file Rule 26(f) Report, complete initial disclosures or  
18 state objection in Rule 26(f) Report and file Case Management Statement per attached Standing  
19 Order re: Contents of Joint Case Management Statement;

20 3) 4/2/08: Initial Case Management Conference in Courtroom F, 15th floor,  
21 San Francisco at 10:30 a.m.

22 Respectfully submitted,

23 //

24 //

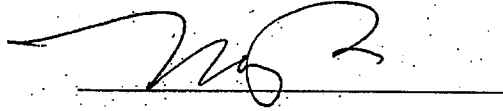
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1 Date: February 15, 2008

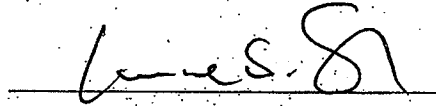
McInerney & Dillon, PC

2  
3 

4 Neil H. Bui

5 Attorneys for Yerba Buena Engineering & Construction,  
6 Inc. and Travelers Casualty and Surety Company of  
7 America

8 Date: February 19, 2008

9 

10 Lawrence E. Smith

11 Attorney for United States of America and AAA  
12 Restaurant Fire Control, Inc.

13 **ORDER**

14 **PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.**

15  
16 Date: \_\_\_\_\_

17 Honorable James Larson  
18 UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I declare that I am employed in the County of Alameda, California. I am over the age of 18 years and not a party to the within action; my business address is McInerney & Dillon, P.C., 1999 Harrison Street, Suite 1700, Oakland, California 94612-4700.

On the date last written below, I served the following documents:

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE AND CORRESPONDING DEADLINES PURSUANT TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES**

By placing true and correct copies thereof:

X By Electronic Mail. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons, through [LexisNexis Corporation/the Court's ECF-PACER webpage/or other internet service provider], in which counsel below are registered to receive e-mail at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**ADDRESSEES**

Lawrence E. Smith  
Centerpoint Building  
18 Crow Canyon Court, Ste. 205  
San Ramon, California 94583

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: February 19, 2008

  
Olye L. Robinson